



Llywodraeth Cymru
Welsh Government

GUIDANCE

Health and Safety (Welsh Marine and Fisheries Scheme): guidance

Explains the scheme and eligibility requirements.

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Supporting the Marine, Fisheries and Aquaculture sector

The Welsh Marine and Fisheries Scheme (WMFS) is a funding scheme to support environmentally and economically sustainable growth in the Welsh seafood industry and encourage Welsh coastal communities to thrive.

The guidance set out in this document is to be considered in conjunction with the Welsh [Marine and Fisheries Scheme: Overarching guidance document](#).

These Guidance Notes explain Welsh Marine and Fisheries Scheme (WMFS) funding round for Health and Safety which enables you to apply for grant funding for certain eligible items. Please read these notes carefully. These items are listed in the accompanying guidance entitled [List of Eligible Items](#).

If you consider yourself eligible for the Health and Safety funding round and want to apply for support, please read the 'How to Apply Section' of this Guidance Note and the accompanying guidance entitled [Using RPW Online to Apply](#) which will be published on the Welsh Government website.

Section A: introduction

The aim of this Health and Safety funding round is to improve hygiene, health, safety, wellbeing and working conditions for fishers and aquaculture workers.

The application window will open on 6 September 2023 and close on 11 October 2023.

Any changes to the scheme rules/guidance will be publicised via the [Welsh Government website](#) and where necessary, we will contact you directly.

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Section B: eligibility

This scheme is for applicants whose enterprise is registered and based in Wales only. Applicants based outside of Wales should apply to their respective scheme administrators.

This scheme is for applicants which are either a Private SME-micro entity or a Private SME-non-micro entity (please see 'Intervention rate section' for definitions) and are either Commercial fishing or aquaculture enterprises that meet the following criteria:

A. If the applicant is from the Catch sector (one of the following)

- Owner or skipper of a licensed commercial vessel that is on the UK fishing fleet register and is administered by Welsh Government from a port in Wales.
- Permit or licence holder for shellfish gathering in intertidal areas in Wales.
- Licensed gangmaster based and operating in gathering shellfish in Wales.

Or

B. If applicant is from the Aquaculture Sector (one of the following)

- Is authorised as an aquaculture production business (APB) under regulation 6 of the Aquatic Animal Health (England and Wales) Regulations 2009 ("the 2009 Regulations")
- Has a marine licence issued by Natural Resources Wales (e.g seaweed farms)

Applications will not be accepted from organisations, businesses or individuals who have:

- Been convicted of fraud under any other grant scheme,

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- Been found to have committed a serious violation of conservation or management measures within the preceding 12 months,
- Been convicted of an offence considered to be a ‘serious infringement’ (including any illegal, unreported and unregulated fishing or fraud), in the 12 months before applying,
- Operate a vessel listed for engaging in IUU fishing by the UK; or the flag State of the vessel; a Regional Fisheries Management Organization or Arrangement (RFMO/A); or has been notified for engaging in IUU fishing under the WTO Agreement on Fishing Subsidies.

Eligible costs

The grant covers investments in health and safety equipment. Items which are eligible for funding under this round have been selected in advance and are in the WMFS Health and Safety funding round guidance document – [List of Eligible Items](#).

All items must meet the specifications as set out in the WMFS Health and Safety guidance document [List of eligible items](#).

For each approved item you purchase, we will pay the lower value of either the approved standard cost (at relevant intervention rate) or the actual price as shown on the receipt of purchase (including standard delivery rates).

The costs in the table already factor in delivery charges and therefore we will not fund any additional charges over the approved standard cost (at relevant intervention rate).

If you are applying for items which are considered as on-board investments, you must provide full details of the vessel that the selected items will be fitted onto.

Items considered as on-board investments will be detailed in the list of eligible items guidance document.

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Ineligible costs

The purchase of second hand items is not permitted under this funding round.

Any investment or items of equipment not included in the 'list of eligible items'.

Any items that you could recover in part or in total by making a claim on an insurance policy or by seeking compensation or damages.

It should be noted that if you apply for an item/items that you have received funding for under a previous funding round, you will be required to provide an explanation as to why you are seeking funding to buy the item again.

As this funding is only for specific items which promote the health, safety and wellbeing of people working in the marine, fisheries and aquaculture sector, it is not regarded as support for fishing overfished stocks. However, for the avoidance of doubt, any activity which supports fishing or fishing related activities relating to an overfished stock is ineligible unless the funding or other measures are implemented to rebuild the stock to a biologically sustainable level.

Maximum and Minimum Grant Rate

The maximum grant award is **£10,000**, the minimum grant award is **£200**.

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Intervention rates

The intervention rate will either be 80% or 50% of the approved standard cost dependent on size of enterprise applying. See table below.

Applicant/Project Type	Maximum intervention rate
Private SME-Micro-entity A micro-entity is a business that has any two of the following characteristics: a) a turnover of £632,000 or less; b) £316,000 or less on its balance sheet; or c) 10 employees or less at time of application.	80%
Private SME- non Micro-entity An SME is a business that has any two of the following characteristics: a) turnover of less than £36 million; b) £18 million or less on its balance sheet; and c) 250 employees or less at time of application.	50%

As part of the application process, you will be required to provide supporting evidence to confirm your enterprise status/size. Evidence can be in the form of a letter from an accountant confirming your enterprise turnover or balance from previous financial year. Or the previous years tax return showing turnover/ balance.

Section C: key requirements

Items must be purchased and installed (where applicable) and claims submitted with full evidence of defrayment by the date provided in your contract.

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Where applicable any modifications to a vessel must be approved and evidenced by the Maritime and Coastguard Agency (MCA) before payment can be made.

All licensed commercial vessels must already meet the minimum safety standards as required by the MCA Code of Practice for Safety of Small Fishing Vessels.

Selection

You are required to select eligible items up to the maximum grant award of £10,000.

The system will automatically calculate the overall score for the application using the assigned values for each category of items and the total standard cost of those items.

The purpose of this scoring is to allow Welsh Government to rank the applications against the funding available.

Once the application is submitted you cannot amend the items you have selected to purchase.

Section D: how to apply

RPW Online

Applications for the funding round will be made through RPW Online. In order to submit an application, you must be registered with the Welsh Government and have been issued with a Customer Reference Number (CRN). Please refer to

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the Welsh Government website for the how to register guidance or call the RPW Customer Contact Centre on 0300 062 5004.

If your application is successful will be offered a grant through your RPW Online account.

Once you have been issued with your contract, if successful, you must purchase and claim for **all** the items on their contract via your RPW Online account **120 calendar** days of the date of the contract offer.

On receipt of your contract, you must accept within **30 calendar** days of the contract issue date. If you do not accept the contract within **30 calendar** days, the contract will be withdrawn.

Full details of when your contract must be accepted and when the items must be purchased and claimed for will be in the contract.

You must not purchase any items included in your application until you have been issued with a contract.

Subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004: **All information given to the Welsh Government will be treated in strict confidence. You should be aware that if successful, the Welsh Government and the UK Government have the right to publish the name of your company, the amount of grant you were awarded and a summary of your investment.**

There are three possible outcomes:

1. Your application is not eligible for the grant. A letter will be issued to you setting out the reasons why your application was rejected.
2. Your application is eligible for consideration but is not approved for an award. You will be informed of the reasons why your application was not

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successful. You may apply again within a future window **but only if you have not purchased the items applied for.**

3. Your application is eligible and is approved for an award. A contract will be issued to you online, setting out the terms and conditions of the award. You will be asked to accept as agreement that you accept the terms and conditions therein. The contract will also provide you with the authority to purchase the items detailed within your contract.

Section E: conditions of grant

You must meet any legal obligations imposed by UK law.

The offer of a WMFS grant is made subject to terms and conditions, including but not limited to those set out below. **Failure to meet the terms and conditions of the award could result in the cancellation of your award and/or the recovery of sums already paid, or a reduction of the amount of grant payable.**

Conditions:

1. Acceptance of the grant awarded must be made within thirty (30) calendar days of the date on which your contract is issued online.
2. The award is made on the basis of statements made by you or your representatives in the application and subsequent online correspondence. **The making of false or misleading statements is an offence.**
3. You must not purchase any items applied for before your contract has been issued.
4. You cannot amend the items that you have selected after your contract has been issued.
5. You **MUST** purchase all the items included in your contract.

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6. You **MUST** make one claim for all the items at the same time.
7. You must only apply for the minimum number of each individual items to satisfy the health and safety requirement of your enterprise/no. of employees.
8. You must meet any legal obligations imposed under UK law, including hygiene legislation.
9. No alterations may be made to the investment without the written approval of Welsh Government.
10. No equipment purchased with grant aid must be disposed of, transferred or sold without the prior written consent of Welsh Government for five years from when the investment is made. This includes indirect changes e.g., where a vessel changes ownership or where the location of any funded items changes.
11. It is your responsibility as the original applicant to inform the new owners of the funding obligations attached to the item. The new owners will be required to take on the terms and conditions of the funding for the time remaining up to five years from the date the original offer of funding was accepted.
12. If the new owner of the item or items does not accept the terms and conditions of the funding attached, then it is deemed that the item has not fulfilled its obligations to the scheme and therefore recovery proceedings may be started and funding recovered from you as the original applicant.
13. Claims must be submitted in the correct format and accompanied by all necessary documentation. If not, they will not be accepted and will be returned to the claimant.
14. You confirm that none of the items covered by the application are replacements under an insurance claim.
15. If asked, you must provide confirmation that no other public funding (whether from EU or UK sources) has been sought.
16. Any publicity given to the investment must make reference to the part played by Welsh Government in funding it.
17. Records concerning the activity of the business and the delivery of the investment, including all original invoices and other related documents such

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as competitive tenders or quotes, must be retained until the end of six years after the last payment of financial assistance made to you in relation to the investment.

18. You must allow representatives of the Welsh Government, including the Auditor General for Wales, to inspect the purchased items. On request, you must provide them with information and / or access to original documentation in relation to the investment.
19. The information provided in the application and any supporting documentation is subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
20. If successful, Welsh Government reserve the right to publish the name of your business or company, the amount of grant you were awarded and a summary of your investment.
21. The information provided in the application is subject to the Privacy Notice. The Privacy Notice explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation (GDPR).

Section F: payment of grant

Claims

Guidance notes on how to claim will be issued when the award is confirmed and subsequently the claim is invited. Claims will only be paid when the Welsh Government is satisfied the relevant expenditure has taken place. Payment will be made by electronic transfer to your bank account.

You must purchase and claim for **all** the items on your contract via your RPW online account within **120 calendar** days of the date the contract is issued.

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During the lifetime of the grant, when claims are submitted, they may be scrutinised to ensure expenditure is eligible and in line with that approved in the original application. On completion of the purchase, a detailed assessment of the items may be undertaken. The information that will be required at the visit could include but not be limited to; original invoices; serial/plant numbers; Health and Safety system including risk analysis; Fire Risk Assessment documents in accordance with the Regulatory Reform (Fire Safety) Order 2005; Cleaning Regime records and Quality Control records. The release of grant will be conditional upon adequate progress having been made.

Incorrect claims

You have a responsibility to make sure that the claim is submitted on time.

If the claim is incorrect then your claim will be reduced to the amount that is eligible and the grant to be paid will be calculated accordingly.

If you have any doubts about the eligibility of any expenditure you must check before you incur the costs.

Section G: control, monitoring and record keeping

Controls

The Welsh Government must enforce the WMFS rules.

All claims will be subject to a post payment visit to verify the realisation of the investment.

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All the details in your application, the details in your claim and the declarations that you made in submitting the application and claim will be checked.

The Welsh Government and the specialist control bodies will try to ensure that visits cause you the minimum of disruption, but some checks require visits to be unannounced, which means it may not be possible to give you notice. You may be subject to more than one visit during a calendar year.

If you refuse to allow a visit or obstruct an officer or fail to give reasonable assistance, your claim may not be paid, we may recover payments and you may be prosecuted.

Monitoring and evaluation

It is a requirement that all grant awards are monitored and the effect of the grant on the business is evaluated following completion.

You must allow officials from Welsh Government, or their representatives, to inspect the items (where applicable) purchased within this five year period and have access to associated paperwork e.g., invoices, certificates, permissions etc.

You must co-operate with any post-implementation evaluation of your project and the scheme as a whole.

Record keeping

You must keep all records and information you need to evidence that you have provided complete and accurate information and have complied with your undertakings for six years.

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You will also be required to:

- Supply to the Welsh Government any information about your WMFS contract and supply that information within the period determined by the Welsh Government.
- Make available to the Welsh Government, its authorised persons or its agents, records, accounts, receipts and other information including access to computer data relating to your WMFS contract.
- Permit the Welsh Government to remove any such document or record to take copies or extracts from them.

Section H: appeals and complaints procedure

Appeals procedure

There are no grounds for appeal if your application is not selected.

Special circumstances or disagreement with any aspect of the scheme's eligibility criteria will not be grounds for appeal.

If a claim is rejected, the reasons for rejection will be explained.

Should you wish to appeal a decision in relation to your claim, then appeals including supporting evidence, must be submitted via RPW Online within 60 days of the date of the letter outlining the decision you wish to appeal against.

An appeal officer/s independent of the original decision will consider the appeal. The appeal officer/s will then make a final decision and notify the appellant together with the reasons for that decision.

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Complaints procedure

Complaints will be dealt with under the Welsh Government's procedure on Complaints. Further advice on how to make a complaint can be obtained from the Complaints Advice Team:

Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 03000 251378

E-mail: complaints@gov.wales

Website: [Complaints about Welsh Government](#)

You may also choose to contact the Public Services Ombudsman for Wales:

1 Ffordd yr Hen Gae
Pencoed,
CF35 5LJ

Tel: 0300 790 0203

Website: [Ombudsman](#)

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Section I: Privacy Notice: Welsh Government financial assistance

How we will handle any personal data you provide in relation to your grant application or request for grant funding

The Welsh Government provides a wide range of grant schemes to help deliver our policies and create a fairer, more prosperous Wales.

The Welsh Government will be data controller for any personal data you provide in relation to your grant application or request for funding. The information will be processed as part of our public task (i.e. exercising our official authority to undertake the core role and functions of the Welsh Government) and will help us assess your eligibility for funding and administer the grant.

Before we provide funding to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you to third party fraud prevention agencies.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the grant funding you applied for, or we may stop providing existing funding to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

In order to assess eligibility, we may also need to share personal information relating to your application with:

- Natural Resources Wales

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- Animal and Plant Health Agency
- Veterinary Medicine Directorate
- Welsh Local Authorities
- Food Standards Agency Wales
- DEFRA
- Marine Management Organisation (MMO)
- Other UK Government Marine and Fisheries Administrations
- Maritime and Coastguard Agency
- Regulatory authorities, such as HM Revenue and Customs, Local Authorities, Health and Safety Executive and the Police.

The Welsh Government may publish details of grant recipients, amounts and business name on a transparency register where we are obliged to do so, for example, under the Subsidy Control Act 2022.

We will keep personal information contained in files in line with our retention policy. If successful in your application, then your personal data will be kept for seven years after the date when you, as grant recipient, are free from all conditions relating to the grant awarded and all payment have been made. If you are unsuccessful your details will be kept for one year after the date you provided them.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is the independent regulator for data protection.

Should you have any queries regarding this privacy statement please contact the **RPW Customer Contact Centre**.

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Or if you would like **further details** about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

Email: dataprotectionofficer@gov.wales

The contact details for the Information Commissioner's Office are:

2nd Floor, Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 0330 414 6421

Website: <https://ico.org.uk/>

Section J: legislation

The Marine, Fisheries and Aquaculture (Financial Assistance) Scheme (Wales) Regulations 2022 creates and sets the terms for the WMFS. These Regulations are made under Paragraph 2 of Schedule 6 of the Fisheries Act 2020.

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Subsidy Control and Transparency Reporting Requirements

The Subsidy Control Act 2022 defines what a subsidy is and the rules which the payment of subsidies by public authorities must comply.

Your details may be published on a register of public funding recipients if the funding meets the criteria for public disclosure.

The UK is expected to ratify the WTO Agreement on Fisheries Subsidies and that this will become binding on WTO members. The new agreement prohibits subsidies for fishing or fishing related activities^[1] relating to an overfished stock unless the funding or other measures are implemented to rebuild the stock to a biologically sustainable level.

[1] Fishing related activities include “any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, trans-shipment, or transporting of fish that have not been previously landed at port, as well as the provisioning of personnel, fuel, gear, and other supplies at sea.”

Section K: contacts

Enquiries – Customer Contact Centre

For all enquiries, please contact the [RPW Customer Contact Centre](#)

Enquiries can be submitted via RPW Online at any time.

Access to Welsh Government offices for people with disabilities or special needs

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If you have any special needs which you feel are not met by our facilities, contact the Customer Contact Centre on 0300 062 5004. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

Welsh Government website

For all of the latest Marine and Fisheries information, visit the [Welsh Government's website](#).

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For more information refer to our [accessibility statement](#).

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